

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

SHANICQUA BRYANT

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Pottstown School District
And
Borough of Pottstown

COMPLAINT

Jury Trial: ☒ Yes ☐ No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Street Address

County, City

State & Zip Code

Telephone Number

Shanicqua Bryant
P.O. Box 1541
Montgomery, Pottstown
Pennsylvania 19464
484 366-6787

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name Pottstown School District
 Street Address 230 Beech St
 County, City Montgomery Pottstown
 State & Zip Code Pennsylvania, 19464

Defendant No. 2

Name Borough of Pottstown
 Street Address 100 E High Street
 County, City Montgomery, Pottstown
 State & Zip Code Pennsylvania, 19464

Defendant No. 3

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 4

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions

☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

Section 1983, Fourteenth Amendment,
Act 1964, Civil Rights

- C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. Where did the events giving rise to your claim(s) occur? Pottstown Pennsylvania

- B. What date and approximate time did the events giving rise to your claim(s) occur? Feb. 2021

- C. Facts: Amended complaint attached

What
happened
to you?

Who did
what?

Was
anyone
else
involved?

Who else
saw what
happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

no physical injuries, increase in blood pressure medicine causing more damage to kidneys and mental emotional distress.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

would like courts to review due process hearing officer decision and reverse issues plaintiff claims he got wrong. award plaintiff monetary relief from both defendants \$150,000 and also punitive damages Borough of Pittston for falsifying police report.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15 day of May, 2022

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

E-mail Address

Shamequa Bryant
Box 1541
Holtstown PA 19464
484-366-6787
nicqua8212@gmail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20____, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: _____

Inmate Number _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHANICQUA BRYANT,

Plaintiff

v.

Civil Action No: 21-cv-2886

POTTSTOWN SCHOOL DISTRICT &

BOROUGH OF POTTSTOWN

Defendants

PLAINTIFF AMENDED COMPLAINT /APPEAL OF HEARING OFFICER DECISION

I Shaniqua Bryant, mother to D.H. , student in the Pottstown school District, appeals hearing officer decision from due process hearing dated April 5, 2022. The hearing was based on claims brought by plaintiff asserting that son D.H.'s IEP had been violated and School District failed to train School Resource Officer (SRO), Anthony Fisher, who was also employed as a Pottstown Police Officer. Plaintiff believes that school district was responsible just as any company is responsible for those who are contracted to perform duties for them and not technically employed by that contractor. Plaintiff appeals hearing officer decision that officer was properly trained, the Bureau Special Education investigation states that district failed to document and from conversation plaintiff had with investigator it was in reference to him having the proper training. School district did not ask officer to arrest D.H. but they did not intervene either, if officer was trained properly in dealing with students with disabilities, these events would have been avoided. The SRO was let go from his position by the school district following this incident. Plaintiff also appeals hearing officer stating there was no show of bias, hearing officer

neglected to mention that plaintiff was not able to call the witnesses that she wanted and was limited, and denied to here other claims that were not in his jurisdiction, which plaintiff asserts along with this appeal.

Plaintiff also appeals hearing officer's indication that plaintiff was not being honest. Hearing officer specifically says that school district was more credible, even though district did not present any evidence to disprove anything that plaintiff was claiming. To the contrary there was actual evidence that the police officer lied on his police report.

CLAIMS AGAINST THE POTTSTOWN SCHOOL DISTRICT

1. Plaintiff asserts violation Civil Rights Act 1964 for discrimination. Plaintiff claims that the Pottstown School District discriminates against her because of her race. The school district has ignored plaintiff when advocating for her son D.H. She has contacted superintendent Stephen Rodriguez numerous times over the past 4 years and he has not yet once responded, to any request for a meeting, answered an email or returned a phone call. Plaintiff can provide proof that he answers other parents and inquire about their concerns, who's children also have special needs. Plaintiff claims that these avoidances are in retaliation of plaintiff filing complaints over the years concerning violation of son D.H. IEP.
2. Plaintiff claims district is also responsible for causing her severe emotional distress by allowing 13yr old student to be charged with felony. Plaintiff missed work and school district failed to call plaintiff when this incident first happened. District failed to properly

handle incident in the morning, causing the second to happen, which could have been avoided if they had called plaintiff as they were required to do.

3. Plaintiff claims that school district retaliated against her by not answering her complaints made to the superintendent, and the Pottstown School Board violated Section 504 of the Rehabilitation Act of 1973.

CLAIMS AGAINST THE BOROUGH OF POTTSTOWN

4. Plaintiff claims that the Borough of Pottstown is in violation of her civil rights under 42 U.S.C. § 1983 , and Fourteenth Amendment Rights of due process. Plaintiff son, the student D.H., was 13 yrs. old, with disabilities when handcuffed and taken into custody. When plaintiff arrived at the station, they refused her access to be her son, while he was being questioned. Questioning a minor without adult present or adult permission is against the law, especially a child that is not competent to understand what is happening.
5. Plaintiff claims the Borough of Pottstown violated, Section 1983 Deprivation of Rights under “class of one” claim. Plaintiff has made complaints to the chief of police about officer Fisher (SRO) concerning son the student D.H. in a separate in separate incident prior to this incident and her complaint was ignored. Plaintiff has had years long disputes with the Pottstown police department and Borough of Pottstown and she claims they have singled her out and treats her differently than other residents within the Borough, which she can prove.

6. Officer Fisher also lied on the police report when he charged D.H. with felony aggravated assault, he stated that the school district was in agreement of pressing charges. The court transcripts debunk this and Borough should be held accountable by way of punitive damages.

RELIEF

Plaintiff seeks monetary relief in the amount of \$50,000 from Pottstown School District, and also that the Courts review the hearing officer decision and amend/ overrule on the facts.

Plaintiff seeks monetary relief in the amount of \$50,000 from the Borough of Pottstown for violation of her Civil Rights, in addition to & \$50,000 for punitive damages for falsifying a police report.

/s/ Shaniqua Bryant

Shaniqua Bryant

PO Box 1541

Pottstown PA 19464

Nicqua8212@gmail.com

484-366-6787